

ORIGINAL



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BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

DEC 22 2004

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IN THE MATTER OF)	DOCKET NO. RT-00000J-02-0066
DISSEMINATION OF CUSTOMER)	
PROPRIETARY NETWORK)	COMMENTS OF MCI, INC.
INFORMATION BY TELECOMMUNI-)	
CATIONS CARRIERS)	

MCI, Inc., on behalf of its regulated subsidiaries, ("MCI") submits these comments to the Proposed Rules attached as Exhibit A to Decision No. 67355. MCI incorporates by reference its comments dated May 17, 2004, filed in response Staff's First Draft of proposed customer proprietary network information ("CPNI") rules and its comments dated August 30, 2004, filed in response to Staff's Second Draft of proposed CPNI rules.

For the reasons stated in its prior comments, MCI requests that the Commission adopt rules that are consistent with those established by the Federal Communications Commission ("FCC") on customer privacy and not to create its own independent set of privacy rules that differ from the FCC rules as proposed in Decision No. 67355.

If the Commission decides to adopt CPNI rules based upon Staff's proposed rules, MCI has specific comments on the following proposed rules.

R14-2-2103. Obtaining Customer Approval to Use, Disclose, or Permit Access to CPNI to Affiliates, Joint Venture Partners and/or Independent Contractors Providing Communications-Related Services

MCI Comments: Part D of this rule is not consistent with federal CPNI rules adopted by the FCC. Federal rules only require proprietary agreements with joint venture partners and independent contractors, but not with affiliates. This section should be amended to make it consistent with the federal rules.

R14-2-2104. Obtaining Customer Approval to Use, Disclose, or Permit Access to CPNI to Third Parties and Affiliates That Do Not Provide Communications-Related Services

MCI Comments: Part D of this rule also is not consistent with federal CPNI rules. Federal rules only require proprietary agreements with joint venture partners and independent contractors, but not with affiliates. This section should be amended to make it consistent with the federal rules.

R14-2-2105. Information Requirements for Customer CPNI Opt-In Notice

MCI Comments: The requirement to use twelve point font in part B.2. will require MCI to make changes specific to Arizona in order to comply with this requirement, which is not required in any other states. To require such a change would be unnecessarily burdensome and costly. To the extent that the Commission finds it necessary to require a specific minimum font size contained in customer notices, a ten-point font requirement would be reasonable.

R14-2-2108. Verification of Customer Opt-Out Approval to Use CPNI

MCI Comments: Rule 2108 should be removed because it conflicts with federal requirements by requiring a subsequent verification.

R14-2-2109. Confirming a Customer's Opt-In Approval

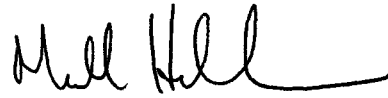
MCI Comments: MCI is concerned with the requirement that any time a provider obtains opt-in approval, it must provide written verification to the customer within 10 days. Telecommunications providers should not be required to obtain a written or emailed confirmation of a customer's approval to obtain customer service records ("CSR") data for the provisioning of local service. If the Commission persists in leaving the requirements in the final version of the rules, it should ensure that access to a customer's CSR does not require obtaining written verification within 10 days under this rule. MCI is concerned that information obtained under Rule 2104.F. might be subject to this additional requirement in Rule 2109.

R14-2-2110. Reminders to Customers of Their Current CPNI Release Election

MCI Comments: The requirements in this section should be deleted. MCI would be required to change its current business practices in order to comply with the requirements in R14-2-2110, which are inconsistent with federal rules and would require significant expenses for compliance. The opt-out requirement outlined in this section is effectively turned into an opt-in requirement by virtue of the proposal to require companies to send an annual reminder of their election for the treatment of their CPNI. This would place an added burden on telecommunications carriers with little or no benefit to customers and any cost associated with implementing these requirements would be passed on to consumers through increased rates.

SUBMITTED this 22nd day of December, 2004.

LEWIS AND ROCA LLP



Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
Phoenix, Arizona 850004
(602) 262-5723

Attorneys for MCI

ORIGINAL and thirteen (13)
copies of the foregoing filed
this 22nd day of December, 2004, with:

The Arizona Corporation Commission
Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered
this 22nd day of December, 2004, to:

Maureen Scott
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Lyn Farmer, Chief Administrative Law Judge
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Christopher Kempley
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

COPY of the foregoing mailed this
22nd day of December, 2004, to:

Timothy Berg
Fennemore Craig, P.C.
3002 N. Central Avenue, Ste. 2600
Phoenix, Arizona 85012-2913

Joan S. Burke
Osborn Maledon, P.A.
2929 N. Central Avenue, Ste. 2100
Phoenix, Arizona 85012-2794

Michael W. Patten
Roshka Heyman & DeWulf, PLC
One Arizona Center
400 E. Van Buren Street, Ste. 800
Phoenix, Arizona 85004

Gregory Kopta
Davis Wright Tremaine
2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688

Mary B. Tribby
Richard S. Wolters
AT&T Communications
1875 Lawrence Street, Ste. 1503
Denver, Colorado 80202

Jon Poston
ACTS
6733 E. Dale Lane
Cave Creek, Arizona 85331-6561

Eric S. Heath
Sprint Communications
100 Spear Street, Ste. 930
San Francisco, California 94105-3114

Robert E. Kelly
Allegiance Telecom of Arizona, Inc.
1919 M Street NW, Ste. 420
Washington, DC 20036

Scott Wakefield Residential Utility Consumer Office
1110 W. Washington Street, Ste. 220
Phoenix, Arizona 85007

Jeffrey W. Crockett
Snell & Wilmer LLP
One Arizona Center
Phoenix, Arizona 85004-2202

Steven J. Duffy
Isaacson & Duffy P.C.
3101 N. Central Avenue, Ste. 740
Phoenix, Arizona 85012-2638

Curt Hutsell
Citizens Communications
4 Triad Center, Ste. 200
Salt Lake City, UT 84180

Teresa Ono
AT&T
795 Folsom Street
Room 2159
San Francisco, CA 94107-1243

Bradley S. Carroll
Cox Communications
20402 North 29th Avenue
Phoenix, AZ 85027-3148

A handwritten signature in cursive script, reading "Betty J. Griffin", is written over a horizontal line.